

ESTTA Tracking number: **ESTTA122633**

Filing date: **01/31/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Coherix, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	3980 Ranchero Drive Ann Arbor, MI 48108 UNITED STATES		

Attorney information	Susan M. Kornfield Bodman LLP 401 East Liberty, Suite 400 Ann Arbor, MI 48104 UNITED STATES skornfield@bodmanllp.com Phone:734-761-3780
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### Applicant Information

Application No	77016092	Publication date	01/02/2007
Opposition Filing Date	01/31/2007	Opposition Period Ends	02/01/2007
Applicant	Coherex Medical, Inc. 2302 S. Presidents Drive Salt Lake City, UT 84120 UNITED STATES		

### Goods/Services Affected by Opposition

Class 010. All goods and services in the class are opposed, namely: Medical devices, namely, medical closure devices for treating structural heart disease
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Attachments	CoherixNotofOppCOHEREXdesign.pdf ( 3 pages )(99053 bytes )
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Signature	/susan m. kornfield/
Name	Susan M. Kornfield
Date	01/31/2007

In the matter of Application Serial No. 77/016092  
Filed on October 6, 2006  
For the Mark COHEREX MEDICAL (and Design)  
Published in the Official Gazette on January 2, 2007

Opposition No. \_\_\_\_\_

## AnnArbor 115278 2

1. Coherix is the owner of the trademark "COHERIX" (the "Mark"), U.S. Registration No. 2,615,937, registered on September 3, 2002. The Mark has been used by Coherix since 2001 and is in use nationwide in connection with: "holographic metrology instruments, computers and computer software, all sold together as a unit, for making non-contact three-dimensional measurements of objects and creating graphic representations of those measured objects." The Mark also identifies services provided by Coherix, namely, "rapid turnaround surface dimensional defect detection and metrology services."

2. Coherex's mark is nearly identical to Coherix's Mark in sound, connotation, appearance, and commercial impression, and is likely, when used in connection with Coherex's goods, to cause confusion, deception, or mistake.

4. The public will be likely to believe that Coherex's goods are affiliated with, sponsored by, connected with, approved by, or in some other manner associated with Coherix's goods and services.

5. Coherix believes it will be damaged by the registration of Coherex's mark, and requests that registration be refused and that this Opposition be sustained.

Susan M. Kornfield, attorney for Coherix, Inc. states as follows: I am the person authorized to sign for the Opposer named in this Opposition; I have read the opposition and know the contents; all statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

Respectfully submitted,  
Bodman LLP

Dated: January 31, 2007

By: Susan M. Kornfield  
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